



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

मंगलवार, 27 नवम्बर, 2018/06 मार्गशीर्ष, 1940

हिमाचल प्रदेश सरकार

THE HIMACHAL PRADESH ELECTRICITY REGULATORY COMMISSION SHIMLA

NOTIFICATION

Shimla, the 22nd November, 2018

No. HPERC-F(1)-2/2018.—Whereas section 61 of the Electricity Act, 2003 (36 of 2003), provides that the Appropriate Commission shall specify the terms and conditions for the

determination of tariff, and in doing so, shall be guided by the National Tariff Policy formulated under the said Act;

AND WHEREAS the Himachal Pradesh Electricity Regulatory Commission has framed the HPERC (Terms and Conditions for Determination of Hydro Generation Tariff) Regulations, 2011 and has determined tariff for generating companies for the 2nd and 3rd MYT Control Periods from 2011 to 2014 and 2014 to 2019;

AND WHEREAS it has become necessary—

- (a) to review the existing provisions to align them with the change in the National Tariff Policy, 2016, change in methodologies of the Central Commission, the Himachal Pradesh Electricity Regulatory Commission (Terms and Conditions for Sharing of Cost of Terminal Benefits of Personnel of Erstwhile Himachal Pradesh State Electricity Board and Successor Entities) Regulations, 2015, the Himachal Pradesh Electricity Regulatory Commission (Reporting System on Power Regulatory Accounting) Regulations, 2014,
- (b) to review the norms of operations of the Utilities like linking Interest on Working Capital with Marginal Cost of Funds based Lending Rate instead of base rate,
- (c) to address certain gaps and discrepancies in the regulations;

AND WHEREAS the Himachal Pradesh Electricity Regulatory Commission is making an exercise to determine the tariff for generating companies for the next control period starting from 1st April, 2019, and keeping in view the regulatory developments after making of the aforesaid regulations and also the experience gained over the period, the National Tariff Policy and methodologies of the Central Commission, amongst others, it has also felt necessary to amend/modify the existing regulations;

NOW, THEREFORE, in exercise of the powers conferred by clauses (zd), (ze) and (zf) of sub-section (2) of section 181, read with sections 61, 62 and 86, of the Electricity Act, 2003 (36 of 2003) and all other powers enabling it in this behalf, and after previous publication, the Himachal Pradesh Electricity Regulatory Commission makes the following amendments to the HPERC (Terms and Conditions for Determination of Hydro Generation Tariff) Regulations, 2011, published in the Rajpatra, Himachal Pradesh, dated 2nd April, 2011, namely:—

REGULATIONS

1. Short title and commencement.—(1) These regulations may be called Himachal Pradesh Electricity Regulatory Commission (Terms and Conditions for Determination of Hydro Generation Tariff) (Third Amendment) Regulations, 2018.

(2) These regulations shall come into force from the date of their publication in the Rajpatra, Himachal Pradesh.

2. Amendment of regulation 3.—In regulation 3 of the Himachal Pradesh Electricity Regulatory Commission (Terms and Conditions for Determination of Hydro Generation Tariff) Regulations, 2011 (hereinafter referred as “the said regulations”),—

- (a) the existing clause (1) shall be renumbered as clause (1-a) and before the renumbered clause (1-a), the following clause (1) shall be inserted, namely:—

“(1) **“accounting statements”** shall mean for each financial year, the balance sheet, the profit and loss statement, the cash flow statement and the report of the statutory auditors together with notes thereto: ”

(b) for clause (10), the following clause (10) shall be substituted, namely:—

“(10) **“change in law”** shall mean the occurrence of any of the following events:

- (i) enactment, bringing into effect or promulgation of any new Indian law, or
- (ii) adoption, amendment, modification, repeal or re-enactment of any existing Indian law, or
- (iii) change in interpretation or application of any Indian law by a competent Court, Tribunal or Indian Governmental Instrumentality, which is the final authority under law for such interpretation or application, or
- (iv) change by any competent statutory authority in any condition or covenant of any consent or clearances or approval or licence available or obtained for the project, or
- (v) coming into force or change in any bilateral or multilateral agreement/treaty between the Government of India and any other Sovereign Government having implication for the Generating Station regulated under these regulations; ”

(c) after clause (21), the following clause (21-a) shall be inserted, namely:—

“(21-a) **“force majeure event”** shall mean, with respect to any party, any event or circumstance or combination of events or circumstances including those stated below, which is not within the reasonable control of, and is not due to an act of omission or commission of that party and which, by the exercise of reasonable care and diligence, could not have been avoided, and without limiting the generality of the foregoing, would include the following events:

- (i) acts of God including lightning, drought, fire and explosion, earthquake, volcanic eruption, landslide, flood, cyclone, typhoon, tornado, geological surprises, or exceptionally adverse weather conditions, or
- (ii) any act of war, invasion, armed conflict or act of foreign enemy, blockade, embargo, revolution, riot, insurrection, terrorist or military action, or
- (iii) industry-wide strikes and labour disturbances having a wide impact;”

(d) clause (23-a) shall be renumbered as clause (23-b) and before renumbered clause (23-b), the following clause (23-a) shall be inserted, namely:—

“(23-a) **“MCLR”** shall mean One Year Marginal Cost of Funds based Lending Rate;”

(e) after clause (28), the following clause (28-a) shall be inserted, namely:—

“(28-a) **“prudence check”** shall mean scrutiny of the reasonableness of expenditure incurred or proposed to be incurred, financing plan, use of efficient technology, cost

and time over-run and such other factors as may be considered appropriate by the Commission for determination of tariff;" and

(f) for clause (38), the following clause (38) shall be substituted, namely:—

“(38) the words and expressions occurring in these regulations and not defined herein but defined in the Act or Grid Code or State Grid Code shall bear the same meanings as respectively assigned to them in the Act or Grid Code or State Grid Code and the words and expressions used herein but not specifically defined herein or in the Act or Grid Code or State Grid Code shall have the meanings generally assigned to them in the electricity industry.”

3. Insertion of regulation 9-A.—After regulation 9 of the said regulations, the following regulation 9-A shall be inserted, namely:—

“9-A. Carrying Cost.—The generating company, for the approved true-up of any year over and above that approved in the Tariff Order for that year, shall be entitled to a carrying cost at one (1) Year weighted average State Bank of India (SBI) MCLR/any replacement thereof as notified by RBI for the time being in effect applicable for one (1) Year period of the relevant Year plus 300 basis points and for any true-up resulting in less than that approved in the Tariff Order for that year, the carrying cost shall be recovered at the same rate.”

4. Substitution of regulation 10.—For existing regulation 10 of the said regulations, the following regulation 10 shall be substituted, namely:—

“10. Refund of excess amount.—If a generating company recovers the charges exceeding the tariff determined by the Commission, the excess amount shall be refunded to beneficiaries, who have paid such excess charges, along with interest equivalent to the one (1) Year State Bank of India (SBI) MCLR/any replacement thereof as notified by RBI for the time being in effect applicable for one (1) Year period, as may be applicable as on 1st April of the Financial Year plus 300 basis points, without prejudice to any other liability to which such generating company may be subject:

Provided that such interest payable to any party shall not be allowed to be recovered through the Aggregate Revenue Requirement of the generating company:

Provided further that the generating company shall maintain separate details of such interest paid or payable by it, and shall submit them to the Commission along with its petition.”

5. Insertion of regulation 10-A, 10-B and 10-C.—After regulation 10 of the said regulations, the following regulations 10-A, 10-B and 10-C shall be inserted, namely:—

“10-A. Preparation of Accounting Manual and Regulatory Accounts.—The Generating Company shall prepare Accounting Manual and Regulatory Accounts as per the Himachal Pradesh Electricity Regulatory Commission (Reporting System on Power Regulatory Accounting) Regulations, 2014. The Utility shall submit the Regulatory Audited Accounts every year within seven months of the end of the Financial Accounting Year to the Commission.

10-B. Segregation of Accounts.—The generating company shall maintain separate accounts for each of its hydro power plants:

Provided that the generating company shall follow a reasonable basis for allocation of all joint and common costs between the power plants and shall submit the Accounting Statements, as

approved by its board of directors, to the Commission alongwith its application for determination of tariff.

10-C. Consumer Contribution, Deposit Work, Grant and Capital Subsidy.—(1) The works carried out by the generation company after obtaining the estimated cost from the users shall be classified as Deposit Works.

- (2) Capital works undertaken by the generation company utilising grants received from the State and Central Governments, including funds under various schemes shall be classified under the category of Grants.
- (3) The works carried out with any other grant of similar nature or such amount received without any obligation to return the same and with no interest costs attached to such subvention shall also be classified as works performed through consumer contribution, deposit work, capital subsidy or grant.
- (4) The expenses on such capital expenditure shall be treated as follows:—
 - (a) normative O&M expenses as specified in these regulations shall be allowed. However, any departmental charges taken by the generating company against deposit works and which are executed departmentally shall be adjusted in the employee cost;
 - (b) the debt to equity ratio shall be considered in accordance with Regulation 16, after deducting the amount of financial support provided through consumer contribution, deposit work, capital subsidy or grant;
 - (c) depreciation to the extent of works performed through consumer contribution, deposit work, capital subsidy or grant shall not be allowed as specified in Regulation 20;
 - (d) provisions related to return on equity, as specified in Regulation 21, shall not be applicable to the extent of financial support provided through consumer contribution, deposit work, capital subsidy or grant;
 - (e) provisions related to interest and finance charges, as specified in Regulation 17, shall not be applicable to the extent of financial support provided through consumer contribution, deposit work, capital subsidy or grant.”

6. Amendment of regulation 13.—For existing sub-regulation (2) of regulation 13 of the said regulations, the following sub-regulation (2) shall be substituted, namely:—

- “(2) The capital expenditure incurred on the following counts after the cut off date may, in its discretion, be admitted by the Commission, subject to prudence check:—
- (a) liabilities to meet award of arbitration or for compliance of the order or decree of a court;
 - (b) change in law;
 - (c) any expenditure which has become necessary on account of damage caused by natural calamities (but not due to flooding of power house attributable to the

negligence of the generating company) including due to geological reasons after adjusting for proceeds from any insurance scheme, and expenditure incurred due to any additional work which has become necessary for successful and efficient plant operation:

- (d) any expenses to be incurred on account of need for higher security and safety of the capital asset as advised or directed by appropriate Government agencies or statutory authorities responsible for national security/internal security;
- (e) any liability for works executed prior to the Cut-off Date, after prudence check of the details of such undischarged liability, total estimated cost of package, reasons for such withholding of payment and release of such payments etc.;
- (f) any liability for works admitted by the Commission after the Cut-off Date to the extent of discharge of such liabilities by actual payments;
- (g) any additional capital expenditure, which has become necessary for efficient operation of the plant. The claim shall be substantiated with the technical justification duly supported by the documentary evidence like test results carried out by an independent agency in case of deterioration of assets, report of an independent agency in case of damage caused by natural calamities, obsolescence of technology etc.:

Provided that in any expenditure on acquiring the minor items or the assets like tools and tackles, furniture, air-conditioners, voltage stabilizers, refrigerators, coolers, fans, washing machines, heat convectors, mattresses, carpets etc. bought after the cut-off date shall not be considered for additional capitalisation for determination of tariff.”

7. Amendment of regulation 17.—In regulation 17 of the said regulations.—

- (a) for existing sub-regulation (2), the following sub-regulation (2) shall be substituted, namely:—

“(2) The rate of interest shall be the weighted average rate of interest calculated on the basis of the actual loan portfolio at the beginning of each year applicable to the project:

Provided that if there is no actual loan for a particular year but normative loan is still outstanding, the last available weighted average rate of interest shall be considered:

Provided further that if the generating station, does not have actual loan, then the weighted average rate of interest of the generating company as a whole shall be considered:

Provided further that if the generating company does not have actual loan, then one (1) Year State Bank of India (SBI) MCLR /any replacement thereof as notified by RBI for the time being in effect applicable for one (1) Year period, as may be applicable as on 1st April of the relevant Year plus 200 basis points shall be considered as the rate of interest for the purpose of allowing the interest on the normative loan.”; and

- (b) For existing sub- regulation (5), the following sub-regulation (5) shall be substituted, namely:—

“(5) The generating station shall make every effort to refinance the loan as long as it results in net benefit to the beneficiaries. The costs associated with such refinancing

shall be borne by the beneficiaries and any benefit on account of refinancing of loan and interest on loan shall be shared between the beneficiaries and the generating company in the ratio of 2:1. Refinancing may also include restructuring of debt.”

8. Substitution of regulation 19.—For existing regulation 19 of the said regulations, the following regulation 19 shall be substituted, namely:—

“19. Interest on Working Capital.—Rate of interest on working capital to be computed as provided hereinafter in these regulations shall be on normative basis and shall be equal one (1) Year State Bank of India (SBI) MCLR / any replacement thereof as notified by RBI for the time being in effect applicable for one (1) Year period, as may be applicable as on 1st April of the Financial Year in which the Petition is filed plus 300 basis points. The interest on working capital shall be payable on normative basis notwithstanding that the generating company has not taken working capital loan from any outside agency or has exceeded the working capital loan based on the normative figures.”

9. Amendment of regulation 20.—For existing sub-regulation (2) of regulation 20 of the said regulations, the following sub-regulation (2) shall be substituted, namely:—

“(2) The salvage value of the asset shall be considered as 10% and depreciation shall be allowed up to maximum of 90% of the capital cost of the asset:

Provided that the salvage value for IT equipment and software shall be considered as NIL and 100% value of the assets shall be considered depreciable:

Provided also that in case of hydro generating stations, the salvage value shall be as provided in the agreement signed by the developers with the State Government for creation of the site:

Provided further that the capital cost of the assets of the hydro generating station for the purpose of computation of depreciable value shall correspond to the percentage of sale of electricity under long term power purchase agreement at regulated tariff.”

10. Amendment of regulation 22.—In regulation 22 of the said regulations.—

(a) for existing sub-regulations (2), (3) and (4), the following sub-regulations (2), (3) and (4) shall be substituted, namely:—

“(2) Operation and maintenance expenses, for the existing generating stations which have been in operation for 5 years or more as on 31st March, 2018, shall be derived on the basis of actual operation and maintenance expenses for the years 2013-14 to 2017-18, based on the audited balance sheets, excluding abnormal operation and maintenance expenses, if any, after prudence check by the Commission.

(3) In case of hydro generating stations, which have been in commercial operation for less than 5 years as on 31st March, 2018, the Operation and maintenance expenses shall be fixed at 2% of the original project cost, excluding cost of rehabilitation and resettlement works, and shall be escalated in accordance with the escalation principles specified in sub-regulation (6).

(4) In case of the hydro generating stations declared under commercial operation on or after 1-4-2018, operation and maintenance expenses shall be fixed at 2% of the original

project cost, excluding cost of rehabilitation and resettlement works, and shall be escalated in accordance with the escalation principles specified in sub-regulation (6).”; and

(b) at the end, the following sub-regulation (7) shall be added, namely:—

“(7) The generating company, wherever applicable, shall submit the detail of sharing of the terminal benefits including pension of its employees as per the Himachal Pradesh Electricity Regulatory Commission (Terms and Conditions for Sharing of Cost of Terminal Benefits of Personnel of the erstwhile Himachal Pradesh State Electricity Board and Successor Entities) Regulations, 2015.”

By order of the Commission,

Sd/-

Secretary.

THE HIMACHAL PRADESH ELECTRICITY REGULATORY COMMISSION, SHIMLA

NOTIFICATION

Shimla, the 22nd November, 2018

No. HPERC-F(1)-3/2018.—Whereas section 61 of the Electricity Act, 2003 (36 of 2003), provides that the Appropriate Commission shall specify the terms and conditions for the determination of tariff, and in doing so, shall be guided by the National Tariff Policy formulated under the said Act;

AND WHEREAS the Himachal Pradesh Electricity Regulatory Commission has framed the HPERC (Terms and Conditions for Determination of Transmission Tariff) Regulations, 2011 and has determined the tariff for the transmission licensee *i.e.* HPPTCL for the 2nd and 3rd MYT Control Periods from 2011 to 2014 and 2014 to 2019;

AND WHEREAS it has become necessary.—

- (a) to review the existing provisions to align them with the change in the National Tariff Policy, 2016, change in methodologies of the central Commission, the Himachal Pradesh Electricity Regulatory Commission (Terms and Conditions for Sharing of Cost of Terminal Benefits of Personnel of Erstwhile Himachal Pradesh State Electricity Board and Successor Entities) Regulations, 2015, the Himachal Pradesh Electricity Regulatory Commission (Reporting System on Power Regulatory Accounting) Regulations, 2014,
- (b) to review the norms of operations of the Utilities like linking Interest on Working Capital with Marginal Cost of Funds based Lending Rate instead of base rate,
- (c) to address certain gaps and discrepancies in the regulations;

AND WHEREAS the Himachal Pradesh Electricity Regulatory Commission is making an exercise to determine the tariff for transmission system of the licensees for the next control period starting from 1st April 2019, and keeping in view the regulatory developments after making of the

aforesaid regulations and also the experience gained over the period, the National Tariff Policy and methodologies of the Central Commission, amongst others, it has also felt necessary to amend/modify the existing regulations;

NOW, THEREFORE, in exercise of the powers conferred by clauses (zd), (ze) and (zf) of sub-section (2) of section 181, read with sections 61, 62 and 86, of the Electricity Act, 2003 (36 of 2003) and all other powers enabling it in this behalf, and after previous publication, the Himachal Pradesh Electricity Regulatory Commission makes the following amendments to the HPERC (Terms and Conditions for Determination of Transmission Tariff) Regulations, 2011, published in the Rajpatra, Himachal Pradesh, dated 2nd April, 2011, namely:—

REGULATIONS

1. Short title and commencement.—(1) These regulations may be called Himachal Pradesh Electricity Regulatory Commission (Terms and Conditions for Determination of Transmission Tariff) (Second Amendment) Regulations, 2018.

(2) These regulations shall come into force from the date of their publication in the Rajpatra, Himachal Pradesh.

2. Amendment of regulation 3.—In regulation 3 of the Himachal Pradesh Electricity Regulatory Commission (Terms and Conditions for Determination of Transmission Tariff) Regulations, 2011 (hereinafter referred as “the said regulations”),—

(a) the existing clause (1) shall be renumbered as clause (1-a) and before renumbered clause (1-a), the following clause (1) shall be inserted, namely:—

“(1) “**accounting statements**” shall mean for each financial year, the balance sheet, the profit and loss statement, the cash flow statement and the report of the statutory auditors together with notes thereto:

Provided that in case of any local authority engaged in the business of transmission of electricity, the Accounting Statement shall mean the items, as mentioned above, prepared and maintained in accordance with the relevant Acts or Statutes as applicable to such local authority;”

(b) for clause (5), the following clause (5) shall be substituted, namely:—

“(5) “**allocation statement**” means for each financial year, a statement in respect of each of the businesses of the licensee including inter-state & intra-state transmission system, showing the amounts of any revenue, cost, asset, liability, reserve or provision etc, which has been either—

(a) determined by apportionment or allocation between different businesses of the licensee including the licensed business, together with a description of the basis of the apportionment or allocation, or

(b) charged from or to each such other business together with a description of the basis of that charge;”

(c) for clause (13), the following clause (13) shall be substituted, namely:—

“(13) “**change in law**” shall mean the occurrence of any of the following events:

- (i) enactment, bringing into effect or promulgation of any new Indian law, or
 - (ii) adoption, amendment, modification, repeal or re-enactment of any existing Indian law, or
 - (iii) change in interpretation or application of any Indian law by a competent Court, Tribunal or Indian Governmental Instrumentality, which is the final authority under law for such interpretation or application, or
 - (iv) change by any competent statutory authority in any condition or covenant of any consent or clearances or approval or licence available or obtained for the project, or
 - (v) coming into force or change in any bilateral or multilateral agreement/treaty between the Government of India and any other Sovereign Government having implication for the transmission company regulated under these regulations; ”
- (d) after clause (22), the following clause (22-a) shall be inserted, namely:—
- “(22-a) **“force majeure event”** shall mean, with respect to any party, any event or circumstance or combination of events or circumstances including those stated below, which is not within the reasonable control of, and is not due to an act of omission or commission of that party and which, by the exercise of reasonable care and diligence, could not have been avoided, and without limiting the generality of the foregoing, would include the following events:
- (i) acts of God including lightning, drought, fire and explosion, earthquake, volcanic eruption, landslide, flood, cyclone, typhoon, tornado, geological surprises, or exceptionally adverse weather conditions, or
 - (ii) any act of war, invasion, armed conflict or act of foreign enemy, blockade, embargo, revolution, riot, insurrection, terrorist or military action, or
 - (iii) industry-wide strikes and labour disturbances having a wide impact;”
- (e) after clause (27), the following clause (27-a) shall be inserted, namely:—
- “(27-a) **“MCLR”** shall mean One Year Marginal Cost of Funds based Lending Rate;”
- (f) after clause (32), the following clause (32-a) shall be inserted, namely:—
- “(32-a) **“prudence check”** shall mean scrutiny of the reasonableness of expenditure incurred or proposed to be incurred, financing plan, use of efficient technology, cost and time over-run and such other factors as may be considered appropriate by the Commission for determination of tariff;” and
- (g) for clause (43), the following clause (43) shall be substituted, namely:—
- “(43) the words and expressions occurring in these regulations and not defined herein but defined in the Act or Grid Code or State Grid Code shall bear the same meanings as respectively assigned to them in the Act or Grid Code or State Grid Code and the words and expressions used herein but not specifically defined herein or in the Act or

Grid Code or State Grid Code shall have the meanings generally assigned to them in the electricity industry.”

3. Amendment of regulation 4.—At the end of regulation 4 of the said regulations, the following sub-regulation (4) shall be added, namely:—

“(4) The norms of operation specified under these regulations are the ceiling norms and this shall not preclude the transmission licensee and the beneficiaries from accepting improved norms of operation as determined by the Commission and such improved norms shall be applicable for determination of tariff.”

4. Insertion of regulation 5-A.—After regulation 5 of the said regulations, the following regulation 5-A shall be inserted, namely:—

“5-A. Preparation of Accounting Manual and Regulatory Accounts.—The licensee shall prepare Accounting Manual and Regulatory Accounts as per the Himachal Pradesh Electricity Regulatory Commission (Reporting System on Power Regulatory Accounting) Regulations, 2014. The Utility shall submit the Regulatory Audited Accounts every year within seven months of the end of the Financial Accounting Year to the Commission.”

5. Insertion of regulation 6-A.—After regulation 6 of the said regulations, the following regulation 6-A shall be inserted, namely:—

“6-A. Segregation of Accounts.—The licensee shall maintain separate accounts and sub balance sheets for each of the other businesses and also for inter and intra-state transmission systems:

Provided that the licensee shall follow a reasonable basis for allocation of all joint and common costs between the transmission business including inter and intrastate transmission systems and the other business and shall submit the Accounting Statements, as approved by its board of directors, to the Commission alongwith his application for determination of tariff:

Provided further that where the sum total of the direct and indirect costs of such other business exceeds the revenues from such other business or for any other reason, no amount shall be allowed to be added to the aggregate revenue requirement of the licensee on account of such other business.”

6. Insertion of regulation 10-A.—After regulation 10 of the said regulations, the following regulation 10-A shall be inserted, namely:—

“10-A. Carrying Cost.—The transmission licensee, for the approved true-up of any year over and above that approved in the Tariff Order for that year, shall be entitled to a carrying cost at one (1) Year weighted average State Bank of India (SBI) MCLR/any replacement thereof as notified by RBI for the time being in effect applicable for one (1) Year period of the relevant Year plus 300 basis points and for any true-up resulting in less than that approved in the Tariff Order for that year, the carrying cost shall be recovered at the same rate.”

7. Substitution of regulation 15.—For existing regulation 15 of the said regulations, the following regulation 15 shall be substituted, namely:—

“ 15. Initial Spares.—The capital cost may include initial spares capitalised as a percentage of the original project cost, subject to the following ceiling norms:—

- (a) Transmission Line 0.75%
- (b) Transmission Sub-station (Green Field) 3.0%
- (c) Transmission Sub-station (Brown Field) 4.5%
- (d) Series Compensation devices and HVDC Station 3.5%
- (e) Gas Insulated Sub-station (GIS) 4.0%
- (f) Communication System 3%”

8. Amendment of regulation 16.—For existing sub-regulation (2) regulation 16 of the said regulations, the following sub- regulation (2) shall be substituted, namely:—

“(2) The capital expenditure incurred on the following counts after the cut off date may, in its discretion, be admitted by the Commission, subject to prudence check:—

- (a) Liabilities to meet award of arbitration or for compliance of the order or decree of a court;
- (b) Change in law or compliance of any existing law;
- (c) Any expenses to be incurred on account of need for higher security and safety of the capital asset as advised or directed by appropriate Government agencies or statutory authorities responsible for national security/internal security;
- (d) Any liability for works executed prior to the Cut-off Date, after prudence check of the details of such undischarged liability, total estimated cost of package, reasons for such withholding of payment and release of such payments etc.;
- (e) Any liability for works admitted by the Commission after the Cut-off Date to the extent of discharge of such liabilities by actual payments;
- (f) Any additional capital expenditure, which has become necessary for efficient operation of the transmission system. The claim shall be substantiated with the technical justification duly supported by the documentary evidence like test results carried out by an independent agency in case of deterioration of assets, report of an independent agency in case of damage caused by natural calamities, obsolescence of technology, up-gradation of capacity for the technical reason such as increase in fault level; and
- (g) Any additional expenditure on items such as relays, control and instrumentation, computer system, power line carrier communication, DC batteries, replacement due to obsolescence of technology, replacement of switchyard equipment due to increase of fault level, tower strengthening, communication equipment, emergency restoration system, insulators cleaning infrastructure, replacement of porcelain insulator with polymer insulators, replacement of damaged equipment not covered by insurance and any other expenditure which has become necessary for successful and efficient operation of transmission system:

Provided that any expenditure on acquiring the minor items or the assets including tools and tackles, furniture, air-conditioners, voltage stabilizers, refrigerators, coolers, computers,

fans, washing machines, heat convectors, mattresses, carpets, etc., bought after the Cut-off Date shall not be considered for additional capitalization for determination of tariff:

Provided further that if any expenditure has been claimed under Renovation and Modernisation (R&M) or repairs and maintenance under O&M Expenses, the same expenditure cannot be claimed under this Regulation. ”

9. Substitution of regulation 17.—For existing regulation 17 of the said regulations, the following regulation 17 shall be substituted, namely:—

“17. Asset Base.—The Commission shall determine the asset base for each year of the control period at the beginning of the control period, which shall be.—

Sum of —

- (a) The asset base of the base year as determined by the Commission, considering the most recent audited accounts, estimates of actuals during the base year after doing prudence check and any other factors considered appropriate by the Commission, and
- (b) Proposed capitalisation during the year after exercising prudence check shall be—
 - (i) schemes for which Commission’s approval has been granted,
 - (ii) schemes which have been submitted for Commission’s approval, and
 - (iii) schemes not requiring Commission’s approval;

Less—

Assets proposed to be retired during the year.

The net value of such retired assets shall be calculated as follows:

Net Value of retired Assets = OCFA – AD – CC

Where;

OCFA: Original capital cost of Replaced Assets

AD: Accumulated depreciation pertaining to the Replaced Assets

CC: Total Consumer Contribution pertaining to the Replaced Assets:

Provided further that the amount of insurance proceeds received, if any, towards damage to any asset requiring its replacement shall be first adjusted towards outstanding actual or normative loan and the balance amount, if any, shall be utilised to reduce the capital cost of such replaced asset, and any further balance amount shall be considered as Non-Tariff Income.

- (2) The interest on loan capital and return on equity shall be computed on the financing of the cost of the schemes included in the asset base.”

10. Insertion of regulation 17-A.—After regulation 17 of the said regulations, the following regulation 17-A shall be inserted, namely:—

“17-A. Consumer Contribution, Deposit Work, Grant and Capital Subsidy.—(1) The works carried out by the Transmission Licensee after obtaining the estimated cost from the users shall be classified as Deposit Works.

(2) Capital works undertaken by the Transmission Licensee utilising grants received from the State and Central Governments, including funds under various schemes shall be classified under the category of Grants.

(3) The works carried out with any other grant of similar nature or such amount received without any obligation to return the same and with no interest costs attached to such subvention shall also be classified as works performed through consumer contribution, deposit work, capital subsidy or grant.

(4) The expenses on such capital expenditure shall be treated as follows:—

- (a) normative O&M expenses as specified in these regulations shall be allowed. However, any departmental charges taken by the licensee against deposit works and which are executed departmentally shall be adjusted in the employee cost;
- (b) the debt to equity ratio shall be considered in accordance with regulation 18, after deducting the amount of financial support provided through consumer contribution, deposit work, capital subsidy or grant;
- (c) depreciation to the extent of works performed through consumer contribution, deposit work, capital subsidy or grant shall not be allowed as specified in regulation 23;
- (d) provisions related to return on equity, as specified in regulation 19, shall not be applicable to the extent of financial support provided through consumer contribution, deposit work, capital subsidy or grant;
- (e) provisions related to interest and finance charges, as specified in regulation 20, shall not be applicable to the extent of financial support provided through consumer contribution, deposit work, capital subsidy or grant.”

11. Amendment of regulation 20.—In regulation 20 of the said regulations.—

(a) at the end of sub-regulation (2), the following proviso shall be added:—

“Provided further that if the Transmission Licensee as a whole does not have actual loan, then one (1) Year State Bank of India (SBI) MCLR/any replacement thereof as notified by RBI for the time being in effect applicable for one (1) Year period, as may be applicable as on 1st April of the relevant Year plus 200 basis points shall be considered as the rate of interest for the purpose of allowing the interest on the normative loan.”;

(b) for existing sub-regulation (5), the following sub-regulation (5) shall be substituted, namely:—

“(5) The transmission licensee shall make every effort to refinance the loan as long as it results in net benefit to the beneficiaries. The costs associated with such refinancing

shall be borne by the transmission customers and any benefit on account of refinancing of loan and interest on loan shall be shared in the ratio of 2:1 between the transmission licensee and the transmission customers. Refinancing may also include restructuring of debt.”; and

(c) at the end, the following sub-regulation (7) shall be inserted, namely:—

“(7) The above interest computation shall exclude the interest on loan amount, normative or otherwise, to the extent of capital cost funded by consumer contribution, deposit work, capital subsidy or grant, carried out by transmission licensee.”

12. Substitution of regulation 21.—For existing regulation 21 of the said regulations, the following regulation 21 shall be substituted, namely:—

“21. Working Capital.—The Commission shall calculate the working capital requirement for the transmission licensee containing the following components:

- (a) O&M expenses for one month;
- (b) receivables for two months on the projected annual transmission charges; and
- (c) maintenance spares @ 15% of O&M Expenses for one month.”

13. Substitution of regulation 22.—For existing regulation 22 of the said regulations, the following regulation 22 shall be substituted, namely:—

“22. Interest Charges on Working Capital.—Rate of interest on working capital to be computed as provided hereinafter in these regulations shall be on normative basis and shall be equal one (1) Year State Bank of India (SBI) MCLR/any replacement thereof as notified by RBI for the time being in effect applicable for one (1) Year period, as may be applicable as on 1st April of the Financial Year in which the Petition is filed plus 300 basis points. The interest on working capital shall be payable on normative basis notwithstanding that the licensee has not taken working capital loan from any outside agency or has exceeded the working capital loan based on the normative figures.”

14. Amendment of regulation 23.—In regulation 23 of the said regulations, the following sub-regulation (2-a) shall be added, namely:—

“(2-a) The salvage value for IT equipment and software shall be considered as NIL and 100% value of the assets shall be considered depreciable.”

15. Substitution of regulation 24.—For existing regulation 24 of the said regulations, the following regulation 24 shall be substituted, namely:—

“24. Non-tariff income.—(1) All income being incidental to electricity business and derived by the licensee from sources, including but not limited to profit derived from disposal of assets, rents, income from investment and miscellaneous receipts from the transmission customers excluding income to licensed business from the other business of the transmission licensee shall constitute non-tariff income of the licensee

(2) The amount of non-tariff income relating to the transmission business as approved by the Commission shall be deducted from the Aggregate Revenue Requirement in determining annual transmission charges of the transmission licensee:

Provided that the transmission licensee shall submit full details of its forecast of non-tariff income to the Commission along with its application for determination of Aggregate Revenue Requirement. The non-tariff income shall *interalia* include:

- (a) Income from rent on land or buildings;
- (b) Income from statutory investments;
- (c) Interest on advances to suppliers/contractors;
- (d) Rental from staff quarters;
- (e) Rental from contractors;
- (f) Income from hire charges from contractors and others;
- (g) Income from advertisements, etc.;
- (h) Miscellaneous receipts like parallel operation charges;
- (i) Deferred Income from grant, subsidy, etc., as per Annual Accounts;
- (j) Excess found on physical verification;
- (k) Interest on investments, fixed and call deposits and bank balances;
- (l) Prior period income.”

16. Substitution of regulation 26.—For existing regulation 26 of the said regulations, the following regulation 26 shall be substituted, namely:—

“26. Refund of excess amount.—The licensee shall recover the charges as determined by the Commission. Where any licensee recovers charges exceeding those determined by the Commission, the excess amount shall be refunded to the person who has paid such excess charges, alongwith interest equal to the prevalent (1) Year State Bank of India (SBI) MCLR/ any replacement thereof as notified by RBI for the time being in effect applicable for one (1) Year period, as may be applicable as on 1st April of the Financial Year plus 300 basis points without prejudice to any other liability incurred by such licensee.”

17. Amendment of regulation 33.—For existing sub- regulation (4) of regulation 33 of the said regulations, the following sub- regulation (4) shall be substituted, namely:—

“(4) 10% of the charges collected from the short term open access customer shall be retained by the transmission licensee and the balance 90% shall be considered as nontariff income and adjusted towards reduction in the transmission service charges payable by the long term and medium term users.”

By order of the Commission,
Sd/-
Secretary.

THE HIMACHAL PRADESH ELECTRICITY REGULATORY COMMISSION, SHIMLA**NOTIFICATION***Shimla, the 22nd November, 2018*

No. HPERC-F(1)-1/2018.—Whereas section 61 of the Electricity Act, 2003 (36 of 2003), provides that the Appropriate Commission shall specify the terms and conditions for the determination of tariff, and in doing so, shall be guided by the National Tariff Policy formulated under the said Act;

AND WHEREAS the Himachal Pradesh Electricity Regulatory Commission has framed the HPERC (Terms and Conditions for Determination of Wheeling Tariff and Retail Supply Tariff) Regulations, 2011 and has determined the tariff for the distribution licensee *i.e.* HPSEBL for the 2nd and 3rd MYT Control Periods from 2011 to 2014 and 2014 to 2019;

AND WHEREAS it has become necessary :

- (a) to review the existing provisions to align them with the change in the National Tariff Policy, 2016, change in methodologies of the Central Commission, the Himachal Pradesh Electricity Regulatory Commission (Terms and Conditions for Sharing of Cost of Terminal Benefits of Personnel of Erstwhile Himachal Pradesh State Electricity Board and Successor Entities) Regulations, 2015, the Himachal Pradesh Electricity Regulatory Commission (Reporting System on Power Regulatory Accounting) Regulations, 2014,
- (b) to review the norms of operations of the Utilities like linking Interest on Working Capital with Marginal Cost of Funds based Lending Rate instead of base rate,
- (c) to address certain gaps and discrepancies in the regulations;

AND WHEREAS the Himachal Pradesh Electricity Regulatory Commission is making an exercise to determine the tariff for distribution licensee for the next control period starting from 1st April, 2019 and keeping in view the regulatory developments after making of the aforesaid regulations and also the experience gained over the period, the National Tariff Policy and methodologies of the Central Commission, amongst others, it has also felt necessary to amend/modify the existing regulations;

NOW, THEREFORE, in exercise of the powers conferred by clauses (zd), (ze) and (zf) of sub-section (2) of section 181, read with sections 61, 62 and 86, of the Electricity Act, 2003 (36 of 2003) and all other powers enabling it in this behalf, and after previous publication, the Himachal Pradesh Electricity Regulatory Commission makes the following amendments to the HPERC (Terms and Conditions for Determination of Wheeling Tariff and Retail Supply Tariff) Regulations, 2011, published in the Rajpatra, Himachal Pradesh, dated 2nd April, 2011, namely:—

REGULATIONS

1. Short title and commencement.—(1) These regulations may be called Himachal Pradesh Electricity Regulatory Commission (Terms and Conditions for Determination of Wheeling Tariff and Retail Supply Tariff) (Third Amendment) Regulations, 2018.

(2) These regulations shall come into force from the date of their publication in the Rajpatra, Himachal Pradesh.

2. Amendment of regulation 2.—In regulation 2 of the Himachal Pradesh Electricity Regulatory Commission (Terms and Conditions for Determination of Wheeling Tariff and Retail Supply Tariff) Regulations, 2011 (hereinafter referred as “the said regulations”),—

- (a) The existing clause (1) shall be renumbered as clause (1-a) and before the renumbered clause (1-a) the following clause (1) shall be added, namely:—

“(1) “**accounting statements**” shall mean for each financial year, the balance sheet, the profit and loss statement, the cash flow statement and the report of the statutory auditors together with notes thereto:

Provided that in case of any local authority engaged in the business of distribution of electricity, the Accounting Statement shall mean the items, as mentioned above, prepared and maintained in accordance with the relevant Acts or Statutes as applicable to such local authority;”

- (b) for clause (6), the following clause (6) shall be substituted, namely:—

“(6) “**change in law**” shall mean the occurrence of any of the following events:—

- (i) enactment, bringing into effect or promulgation of any new Indian law, or
- (ii) adoption, amendment, modification, repeal or re-enactment of any existing Indian law, or
- (iii) change in interpretation or application of any Indian law by a competent Court, Tribunal or Indian Governmental Instrumentality, which is the final authority under law for such interpretation or application, or
- (iv) change by any competent statutory authority in any condition or covenant of any consent or clearances or approval or licence available or obtained for the project, or
- (v) coming into force or change in any bilateral or multilateral agreement/treaty between the Government of India and any other Sovereign Government having implication for the distribution licensee regulated under these regulations; ”

- (c) after clause (8), the following clause (8-a) shall be inserted, namely:—

“(8-a) “**consumer**” shall mean any person who is supplied with electricity for his own use by a licensee or the Government or by any other person engaged in the business of supplying electricity to the public under this Act or any other law for the time being in force and includes any person whose premises are for the time being connected for the purpose of receiving electricity with the works of a licensee, the Government or such other person, as the case may be, but shall be restricted to such consumers within the State except in border areas with neighbouring Indian States where it is non-feasible to provide connection by the other state(s) licensee, but with the mutual consent of the respective State Government;”

- (d) after clause (11), the following clause (11-a) shall be inserted, namely:—

“(11-a) “**force majeure event**” shall mean, with respect to any party, any event or circumstance or combination of events or circumstances including those stated below,

which is not within the reasonable control of, and is not due to an act of omission or commission of that party and which, by the exercise of reasonable care and diligence, could not have been avoided, and without limiting the generality of the foregoing, would include the following events:—

- (i) acts of God including lightning, drought, fire and explosion, earthquake, volcanic eruption, landslide, flood, cyclone, typhoon, tornado, geological surprises, or exceptionally adverse weather conditions, or
- (ii) any act of war, invasion, armed conflict or act of foreign enemy, blockade, embargo, revolution, riot, insurrection, terrorist or military action, or
- (iii) industry-wide strikes and labour disturbances having a wide impact.;

(e) after clause (14), the following clause (14-a) shall be inserted, namely:—

“(14-a) “**MCLR**” shall mean One Year Marginal Cost of Funds based Lending Rate;”

(f) after clause (16-a), the following clause (16-b) shall be inserted, namely:—

“(16-b) “**prudence check**” shall mean scrutiny of the reasonableness of expenditure incurred or proposed to be incurred, financing plan, use of efficient technology, cost and time over-run and such other factors as may be considered appropriate by the Commission for determination of tariff;” and

(g) for clause (25), the following clause (25) shall be substituted, namely:—

“(25) the words and expressions occurring in these regulations and not defined herein but defined in the Act or Grid Code or State Grid Code or the Himachal Pradesh Electricity Supply Code shall bear the same meanings as respectively assigned to them in the Act or Grid Code or State Grid Code or the Himachal Pradesh Electricity Supply Code and the words and expressions used herein but not specifically defined herein or in the Act or Grid Code or State Grid Code or HP Electricity Supply Code shall have the meanings generally assigned to them in the electricity industry.”

3. Amendment of regulation 4.—In regulation 4 of the said regulations.—

(a) for clause (cc), the following clause (cc) shall be substituted, namely:—

“(cc) “**Uncontrollable parameters**” for a distribution licensee shall *inter-alia* comprise of the following factors, which were beyond the reasonable control of the licensee, and could not be mitigated by the licensee:—

- (a) Force Majeure events,
- (b) Change in Law, judicial pronouncements and Orders of the Central Government, State Government or Commission,
- (c) Variation in the number or mix of Consumers or quantities of electricity supplied to Consumers,
- (d) Variation in the cost of power purchase due to variation in the rate of power purchase from approved sources, subject to clauses in the power purchase agreement or arrangement approved by the Commission,

- (e) Variation in fuel cost,
- (f) Change in power purchase mix,
- (g) Inflation,
- (h) Transmission Charges,
- (i) Variation in market interest rates for long-term loans,
- (j) Taxes and Statutory levies,
- (k) Taxes on income,
- (l) Income from the realisation of bad debts written off:

Provided that where the applicant believes, for any variable not specified above, that there is a material variation or expected variation in performance for any Financial Year on account of uncontrollable factors, such applicant may apply to the Commission for inclusion of such variable and the Commission may incorporate the same, under this regulation for such Financial Year.”

4. Insertion of Regulation 5-A.—After regulation 5 of the said regulations, the following regulation 5-A shall be inserted, namely:—

“5-A. Preparation of Accounting Manual and Regulatory Accounts.—The licensee shall prepare Accounting Manual and Regulatory Accounts as per the Himachal Pradesh Electricity Regulatory Commission (Reporting System on Power Regulatory Accounting) Regulations, 2014. The Utility shall submit the Regulatory Audited Accounts every year within seven months of the end of the Financial Accounting Year to the Commission.”

5. Substitution of regulation 7.—For existing regulation 7 of the said regulations, the following regulation 7 shall be substituted, namely:—

“7. Targets for Controllable Parameters.—The Commission shall set targets for each year of the control period for the items or parameters that are deemed to be “controllable”. The “Controllable parameters” for a Distribution Licensee shall comprise of the factors which were within the control of the Licensee, shall *inter-alia* include—

- (a) Variations in Capitalisation on account of time and/or cost overruns/ efficiencies in the implementation of a capital expenditure project not attributable to an approved change in scope of such project, change in statutory levies or force majeure events;
- (b) Variation in Financing cost which includes cost of debt and cost of equity;
- (c) Variations in Distribution losses which will include both technical and commercial losses of Distribution Licensee and shall be measured as the difference between total energy input for sale to all its consumers and sum of the total energy billed in its licence area in the same year;

- (d) Variations in performance parameters;
- (e) Failure to meet the standards specified in HPERC (Distribution Performance Standards) Regulation, 2010;
- (f) Variations in labour productivity;
- (g) Variation in Bad and doubtful debts, in accordance with the provisions of Regulation 34-A;
- (h) Variation in Operation and Maintenance Expenditure which includes employee expenses, repairs and maintenance expenses, administration and general expenses and other miscellaneous expenses *viz.* audit fees, rents, legal fees etc.; and
- (i) Variation in Depreciation:

Provided that the Commission may, while setting the targets, also incorporate suitable mechanisms for automatic adjustments in these targets in case of substantial changes in the basic assumptions/inputs taken into account and may also provide for the requirements in respect of such components of the O&M expenditure as it may consider appropriate as per actual:

Provided further that, based upon abnormal variations in controllable parameters (distribution losses, operation and maintenance expenditure, financing cost and depreciation) and for reasons beyond the control of the distribution licensee, the Commission may, at the time of mid-term performance review, review the approved expenditure *vis-a-vis* the actual expenditure for these controllable parameters and revise the targets set for the balance years of the control period.”

6. Amendment of regulation 9.—At the end of regulation 9 of the said regulations, the following sub-regulation (8) shall be added, namely:—

“(8) The licensee shall submit a report for every quarter detailing the progress of the capital expenditure and capitalisation undertaken against that proposed in the Capital Investment Plan, on or before the last Day of the month succeeding the respective quarter for review by the Commission.”

7. Amendment of regulation 11.—For existing sub- regulation (2) of regulation 11 of the said regulations, the following sub-regulation (2) shall be substituted, namely:—

“(2) The distribution licensee, for the approved true-up of any year over and above that approved in the Tariff Order for that year, shall be entitled to a carrying cost at one (1) Year weighted average State Bank of India (SBI) MCLR / any replacement thereof as notified by RBI for the time being in effect applicable for one (1) Year period of the relevant Year plus 300 basis points and for any true-up resulting in less than that approved in the Tariff Order for that year, the carrying cost shall be recovered at the same rate.”

8. Amendment of regulation 14.—For existing sub- regulation (5) of regulation 14 of the said regulations, the following sub- regulation (5) shall be substituted, namely:—

“The licensee shall avail maximum rebate available from each source for early payment of power purchase bills such as through letter of credit:

Provided that, 50% of the maximum normative rebate available to the licensee shall be allowed to be retained by him and the remaining 50% of the maximum normative available rebate shall be adjusted in the Power Procurement Cost:

Provided further that, the delayed payment surcharge, if any, paid by the licensee against the Power Purchase Bills shall be to the account of the licensee.”

9. Amendment of regulation 17.—After sub-regulation (3) of regulation 17 of the said regulations, the following sub-regulation (4) shall be added, namely:—

“(4) The distribution licensee shall submit the detail of sharing of the terminal benefits including pension of its employees as per the Himachal Pradesh Electricity Regulatory Commission (Terms and Conditions for Sharing of Cost of Terminal Benefits of Personnel of the Erstwhile Himachal Pradesh State Electricity Board and Successor Entities) Regulations, 2015.”

10. Substitution of regulation 18.—For existing regulation 18 of the said regulations, the following regulation 18 shall be substituted, namely:—

“18. Asset Base.— (1) The Commission shall determine the asset base for each year of the control period at the beginning of the control period, which shall be Sum of —

- (a) The asset base of the base year as determined by the Commission, considering the most recent audited accounts, estimates of actuals during the base year after doing prudence check and any other factors considered appropriate by the Commission, and
- (b) Proposed capitalisation during the year after exercising prudence check shall be—
 - (i) schemes for which Commission’s approval has been granted,
 - (ii) schemes which have been submitted for Commission’s approval, and
 - (iii) schemes not requiring Commission’s approval;

Less—

Assets proposed to be retired during the year.

The net value of such retired assets shall be calculated as follows:

Net Value of retired Assets = OCFA – AD – CC

Where;

OCFA: Original capital cost of Replaced Assets

AD: Accumulated depreciation pertaining to the Replaced Assets

CC: Total Consumer Contribution pertaining to the Replaced Assets:

Provided that the amount of insurance proceeds received, if any, towards damage to any asset requiring its replacement shall be first adjusted towards outstanding actual or normative loan and the balance amount, if any, shall be utilised to reduce the capital cost of such replaced asset, and any further balance amount shall be considered as Non-Tariff Income.

(2) The interest on loan capital and return on equity shall be computed on the financing of the cost of the schemes included in the asset base.”

11. Insertion of regulation 18-A.—After regulation 18 of the said regulations, the following regulation 18-A shall be inserted, namely:—

“18-A. Consumer Contribution, Deposit Work, Grant and Capital Subsidy.—

- (1) The works carried out by the distribution licensee after obtaining the estimated cost from the users shall be classified as Deposit Works.
- (2) Capital works undertaken by the distribution licensee utilising grants received from the State and Central Governments, including funds under various schemes shall be classified under the category of Grants.
- (3) The works carried out with any other grant of similar nature or such amount received without any obligation to return the same and with no interest costs attached to such subvention shall also be classified as works performed through consumer contribution, deposit work, capital subsidy or grant.
- (4) The expenses on such capital expenditure shall be treated as follows :—
 - (a) normative O&M expenses as specified in these regulations shall be allowed. However, any departmental charges taken by the licensee against deposit works and which are executed departmentally shall be adjusted in the employee cost;
 - (b) the debt to equity ratio shall be considered in accordance with regulation 19, after deducting the amount of financial support provided through consumer contribution, deposit work, capital subsidy or grant;
 - (c) depreciation to the extent of works performed through consumer contribution, deposit work, capital subsidy or grant shall not be allowed as specified in regulation 23;
 - (d) provisions related to return on equity, as specified in regulation 20, shall not be applicable to the extent of financial support provided through consumer contribution, deposit work, capital subsidy or grant;
 - (e) provisions related to interest and finance charges, as specified in regulation 21, shall not be applicable to the extent of financial support provided through consumer contribution, deposit work, capital subsidy or grant.”

12. Amendment of regulation 21.—In regulation 21 of the said regulations,—

- (a) for sub-regulation (2), the following sub-regulation (2) shall be substituted, namely:—

“(2) The interest rate on the amount of equity in excess of 30% treated as notional loan shall be the weighted average rate of the loans of the respective years and shall be further limited to the rate of return on equity specified in these regulations:

Provided that if there is no actual loan for a particular Year but normative loan is still outstanding, the last available weighted average rate of interest for the actual loan shall be considered:

Provided further that if the Distribution Licensee does not have actual loan, then one (1) Year State Bank of India (SBI) MCLR/any replacement thereof as notified by RBI for the time being in effect applicable for one (1) Year period, as may be applicable as on 1st April of the relevant Year plus 200 basis points shall be considered as the rate of interest for the purpose of allowing the interest on the normative loan.”; and

- (b) after sub-regulation (5), the following new sub-regulations (6), (7) and (8) shall be added, namely:—

“(6) The licensee may hedge foreign exchange exposure in respect of the interest on foreign currency loan and repayment of foreign loan acquired for the distribution system, in part or in full at its discretion.

(7) The licensee shall be permitted to recover the cost of hedging of foreign exchange rate variation corresponding to the foreign debt, in the relevant Year as an expense, subject to prudence check by the Commission, and extra rupee liability corresponding to such variation shall not be allowed against the hedged foreign debt.

(8) To the extent that the foreign exchange exposure is not hedged, any extra rupee liability towards interest payment and loan repayment corresponding to the foreign currency loan in the relevant Year shall be allowed subject to prudence check by the Commission.”

13. Substitution of regulation 22.—For existing regulation 22 of the said regulations, the following regulation 22 shall be substituted, namely:—

“22. Interest Charges on Working Capital.—Rate of interest on working capital to be computed as provided hereinafter in these regulations shall be on normative basis and shall be equal one (1) Year State Bank of India (SBI) MCLR / any replacement thereof as notified by RBI for the time being in effect applicable for one (1) Year period, as may be applicable as on 1st April of the Financial Year in which the Petition is filed plus 300 basis points. The interest on working capital shall be payable on normative basis notwithstanding that the licensee has not taken working capital loan from any outside agency or has exceeded the working capital loan based on the normative figures. The Commission shall calculate working capital requirement for wheeling and retail supply business in accordance with these regulations to arrive at working capital requirement of distribution licensee.”

14. Amendment of regulation 23.—After sub-regulation (4) of regulation 23 of the said regulations, the following sub-regulation (4-a) shall be added, namely:—

“(4-a) The salvage value for IT equipment and software shall be considered as NIL and 100% value of the assets shall be considered depreciable.”

15. Substitution of regulation 25.—For existing regulation 25 of the said regulations, the following regulation 25 shall be substituted, namely:—

“**25. Non tariff income.**—(1) All incomes being incidental to electricity business and derived by the licensee from sources, including but not limited to profit derived from disposal of assets, rents, meter rent (if any), income from investments other than contingency reserves, miscellaneous receipts from the consumers but excluding delayed payment surcharge and income to licensed business from the other business of the distribution licensee shall constitute non tariff income of the licensee.

(2) The amount of non tariff income as approved by the Commission shall be deducted from the Aggregate Revenue Requirement of the distribution licensee:

Provided that the distribution licensee shall submit full details of its forecast of non tariff income to the Commission along with its application for determination of tariff.

(3) The indicative list of items under non-tariff income of licensee shall *inter-alia* include:

- (a) Income from rent of land or buildings;
- (b) Income from statutory investments;
- (c) Income from interest on contingency reserve investment;
- (d) Interest on advances to suppliers/contractors;
- (e) Rental from staff quarters;
- (f) Rental from contractors;
- (g) Income from hire charges from contractors and others;
- (h) Income from advertisements, etc.;
- (i) Meter/metering equipment/service line rentals;
- (j) Service charges;
- (k) Consumer charges;
- (l) Recovery for theft and pilferage of energy;
- (m) Rebate availed on account of timely payment of bills;

- (n) Miscellaneous receipts;
- (o) Deferred Income from grant, subsidy, etc., as per Annual Accounts;
- (p) Miscellaneous receipts;
- (q) Excess found on physical verification;
- (r) Prior period income.”

16. Amendment of regulation 26.—For existing sub-regulation (2) of regulation 26 of the said regulations, the following sub- regulation (2) shall be substituted, namely:—

“(2) The licensee shall maintain separate accounts and sub balance sheets for each of the other business including Generation (individual stations wise), Survey and Investigation of new power projects, investments in the existing and new projects etc.:

Provided that the licensee shall follow a reasonable basis for allocation of all joint and common costs between the distribution business and the other business and shall submit the Accounting Statements, as approved by its board of directors, to the Commission alongwith his application for determination of tariff:

Provided further that where the sum total of the direct and indirect costs of such other business exceeds the revenues from such other business or for any other reason, no amount shall be allowed to be added to the aggregate revenue requirement of the licensee on account of such other business.”

17. Substitution of regulation 30.—For existing regulation 30 of the said regulations, the following regulation 30 shall be substituted, namely:—

“30. Working Capital for Wheeling Business.—The Commission shall calculate the working capital requirement for the wheeling business containing the following components:

- (a) O&M expenses for one month;
- (b) receivables for two months of the wheeling charges;
- (c) maintenance spares @ 15% of O&M expenses for one month;

Provided that for working out maintenance spares requirement under working capital any provisions, terminal benefits & any arrears payment made shall not be considered. and Less consumer security deposit, if any.”

18. Substitution of regulation 32.—For existing regulation 32 of the said regulations, the following regulation 32 shall be substituted, namely:—

“32. Working Capital for Retail Supply Business.—The Commission shall calculate the working capital requirement for the wheeling business containing the following components:

- (a) O&M expenses for one month;
- (b) receivables for two months of revenue from sale of electricity;

- (c) maintenance spares @ 15% of O&M Expenses for one month;

Provided that for working out maintenance spares requirement under working capital any provisions, terminal benefits & any arrears payment made shall not be considered.

and Less—

- (i) power purchase costs for one month; and
- (ii) consumer security deposit, if any.”

19. Insertion of Regulation 34-A.—After regulation 34 of the said regulations, the following regulation 34-A shall be inserted, namely:—

“34-A. Provision for bad and doubtful debts.—The Commission may allow a provision for bad and doubtful debts upto one percent (1%) of the estimated annual revenue of the distribution licensee, subject to actual writing off of bad debts by it in the previous years:

Provided further that where the total amount of such provisioning allowed in previous years for bad and doubtful debts exceed five (5) per cent of the receivables at the beginning of the year, no such appropriation shall be allowed which would have the effect of increasing the provisioning beyond the said maximum.”

20. Amendment of regulation 36.—In regulation 36 of the said regulations—

- (i) for clause (a), the following clause (a) shall be substituted, namely:—

“(a) forecast of sales- the distribution licensee shall forecast sales for each consumer category and sub-categories, at different voltage levels, for each Year of the Control Period, for the Commission’s review and approval; The forecast shall be based on the actual demand of electricity in previous Years, anticipated growth in demand in coming Years, expected growth in the number of consumers, changes in the pattern of consumption, target distribution losses and other relevant factors; The licensee shall indicate separately the sale of electricity to traders or another licensee and category wise sales to Open Access Consumers”;

- (ii) for clause (d), the following clauses (d), (da), (db), (dc), (dd), (de) and (df) shall be substituted, namely:—

“(d) power procurement plan- the distribution licensee shall prepare a plan for procurement of power to serve the demand for electricity in its area of supply and submit such plan to the Commission for approval as a part of Business Plan:

Provided that such power procurement plan may include long-term, medium-term and shortterm sources of power procurement, in accordance with these regulations;

- (da) The power procurement plan of the distribution licensee shall comprise of the following:

- (i) a quantitative forecast of the unrestricted base load and peak load for electricity within its area of supply;

- (ii) an estimate of the quantity of electricity supply from the identified sources of power purchase, including own generation, if any;
- (iii) measures proposed for energy conservation, energy efficiency, and demand side management;
- (iv) an estimate of availability of power to meet the base load and peak load requirement:

Provided that such estimate of demand and supply shall be on monthwise basis in Megawatt (MW) as well as expressed in Million Units (MU);

- (v) standards to be maintained with regard to quality and reliability of supply, in accordance with the relevant regulations of the Commission;
- (vi) the requirement for new sources of power procurement, including augmentation of own generation capacity, if any, and identified new sources of supply, based on the foregoing items (i) to (v);
- (vii) the sources of power, quantity and cost estimates for such procurement:

Provided that the forecast or estimates for the Control Period shall be prepared for each month over the Control Period:

Provided further that the long-term procurement plan shall be a cost-effective plan based on available information regarding costs of various sources of supply;

- (db) the forecast or estimate shall be prepared using forecasting techniques based on past data, sales forecast, impact of loss reduction initiatives, improvement in Generating Station Plant Load Factors and other relevant factors;
- (dc) where the Commission has specified a percentage of the total consumption of electricity in the area of a distribution licensee to be purchased from co-generation or renewable sources of energy including solar power, the power procurement plan shall include the plan for procurement from such sources upto the specified level;
- (dd) the distribution licensee shall also consult the State Transmission Utility at the time of preparation of the power procurement plan, to ensure consistency of such plan with the transmission system plan;
- (de) the distribution licensee may, as a result of additional information not previously known or available to it at the time of submission of the procurement plan under regulation apply for modification in the power procurement plan for the remaining Control Period, as part of its petition for Mid-term Review;
- (df) the Commission may, as a result of additional information not previously known or available to the Commission at the time of approval of the procurement plan, if it deems appropriate, *suo motu* or on a petition filed by

the distribution licensee, modify the procurement plan of the distribution licensee for the remaining Control Period, as part of the Mid-term Review;”

21. Amendment of regulation 41-A.—For sub-regulation (1) of the regulations 41-A, the following sub-regulation (1) shall be substituted, namely:—

“(1) If the distribution licensee recovers a price or charge exceeding the tariff determined under Section 62 of the Act and in accordance with these regulations, the excess amount shall be recoverable by the person who has paid such price or charge, along with interest equivalent to the one (1) Year State Bank of India (SBI) MCLR/any replacement thereof as notified by RBI for the time being in effect applicable for one (1) Year period, as may be applicable as on 1st April of the Financial Year plus 300 basis points prevailing during the relevant period, without prejudice to any other liability to which such licensee may be subject:

Provided that such interest payable to any party shall not be allowed to be recovered through the Aggregate Revenue Requirement of the licensee:

Provided further that the licensee shall maintain separate details of such interest paid or payable by it, and shall submit them to the Commission alongwith its petition” .

By order of the Commission

Sd/-

Secretary.

THE HIMACHAL PRADESH ELECTRICITY REGULATORY COMMISSION SHIMLA

NOTIFICATION

Shimla, the 22nd November, 2018

No. HPERC-F(1)-4/2018.—Whereas section 61 of the Electricity Act, 2003 (36 of 2003), provides that the Appropriate Commission shall specify the terms and conditions for the determination of tariff, and in doing so, shall be guided by the National Tariff Policy formulated under the said Act;

AND WHEREAS the Himachal Pradesh Electricity Regulatory Commission has framed the HPERC (Levy and Collection of Fees and Charges by State Load Despatch Centre) Regulations, 2011 and has determined the Fees and Charges for the state load dispatch centre for the 2nd and 3rd MYT Control Periods from 2011 to 2014 and 2014 to 2019;

AND WHEREAS it has become necessary—

- (a) to review the existing provisions to align them with the change in the National Tariff Policy, 2016, change in methodologies of the Central Commission, the Himachal Pradesh Electricity Regulatory Commission (Terms and Conditions for Sharing of Cost of Terminal Benefits of Personnel of Erstwhile Himachal Pradesh State Electricity Board and Successor Entities) Regulations, 2015, the Himachal Pradesh Electricity Regulatory Commission (Reporting System on Power Regulatory Accounting) Regulations, 2014,
- (b) to review the norms of operations of the Utilities like linking Interest on Working Capital with Marginal Cost of Funds based Lending Rate instead of base rate,

(c) to address certain gaps and discrepancies in the regulations;

AND WHEREAS the Himachal Pradesh Electricity Regulatory Commission is making an exercise to determine the fees and charges for state load despatch centre for the next control period starting from 1st April, 2019 and keeping in view the regulatory developments after making of the aforesaid regulations and also the experience gained over the period, the National Tariff Policy and methodologies of the Central Commission, amongst others, it has also felt necessary to amend/modify the existing regulations;

NOW, THEREFORE, in exercise of the powers conferred by clauses (zd), (ze) and (zf) of sub-section (2) of section 181, read with sections 61, 62 and 86, of the Electricity Act, 2003 (36 of 2003) and all other powers enabling it in this behalf, and after previous publication, the Himachal Pradesh Electricity Regulatory Commission makes the following amendments to the HPERC (Levy and Collection of Fees and Charges by State Load Despatch Centre) Regulations, 2011, published in the Rajpatra, Himachal Pradesh, dated 2nd April, 2011, namely:—

REGULATION

1. Short title and commencement.—(1) These regulations may be called Himachal Pradesh Electricity Regulatory Commission (Levy and Collection of Fees and Charges by State Load Despatch Centre) (Second Amendment) Regulations, 2018.

(2) These regulations shall come into force from the date of their publication in the Rajpatra, Himachal Pradesh.

2. Amendment of regulation 3.—In regulation 3 of the Himachal Pradesh Electricity Regulatory Commission (Levy and Collection of Fees and Charges by State Load Despatch Centre) Regulations, 2011 (hereinafter referred as “the said regulations”),—

(a) the existing clause (1) shall be renumbered as clause (1-a) and before the renumbered clause (1-a), the following clause (1) shall be inserted, namely:—

“(1) **“accounting statements”** shall mean for each financial year, the balance sheet, the profit and loss statement, the cash flow statement and the report of the statutory auditors together with notes thereto;”

(b) for clause (10), the following clause (10) shall be substituted, namely:—

“(10) **“change in law”** shall mean the occurrence of any of the following events:

- (i) enactment, bringing into effect or promulgation of any new Indian law, or
- (ii) adoption, amendment, modification, repeal or re-enactment of any existing Indian law, or
- (iii) change in interpretation or application of any Indian law by a competent Court, Tribunal or Indian Governmental Instrumentality, which is the final authority under law for such interpretation or application, or
- (iv) change by any competent statutory authority in any condition or covenant of any consent or clearances or approval or licence available or obtained for the project, or

- (v) coming into force or change in any bilateral or multilateral agreement/treaty between the Government of India and any other Sovereign Government having implication for the State Load Despatch Centre regulated under these regulations; ”

(c) after clause (18), the following clause (18-a) shall be inserted, namely:—

“(18-a) “**force majeure event**” shall mean, with respect to any party, any event or circumstance or combination of events or circumstances including those stated below, which is not within the reasonable control of, and is not due to an act of omission or commission of that party and which, by the exercise of reasonable care and diligence, could not have been avoided, and without limiting the generality of the foregoing, would include the following events:

- (i) acts of God including lightning, drought, fire and explosion, earthquake, volcanic eruption, landslide, flood, cyclone, typhoon, tornado, geological surprises, or exceptionally adverse weather conditions, or
- (ii) any act of war, invasion, armed conflict or act of foreign enemy, blockade, embargo, revolution, riot, insurrection, terrorist or military action, or
- (iii) industry-wide strikes and labour disturbances having a wide impact;”

(d) the existing clause (19-a) shall be renumbered as clause (19-b) and before renumbered clause (19-b), the following clause (19-a) shall be inserted, namely:—

“(19-a) “**MCLR**” shall mean One Year Marginal Cost of Funds based Lending Rate;”

(e) after clause (21), the following clause (21-a) shall be inserted, namely:—

“(21-a) “**prudence check**” shall mean scrutiny of the reasonableness of expenditure incurred or proposed to be incurred, financing plan, use of efficient technology, cost and time over-run and such other factors as may be considered appropriate by the Commission for determination of tariff;” and

(f) for clause (28), the following clause (28) shall be substituted, namely:—

“(28) the words and expressions occurring in these Regulations and not defined herein but defined in the Act or Grid Code or State Grid Code shall bear the same meanings as respectively assigned to them in the Act or Grid Code or State Grid Code and the words and expressions used herein but not specifically defined herein or in the Act or Grid Code or State Grid Code shall have the meanings generally assigned to them in the electricity industry.”

3. Substitution of regulation 8.—For existing regulation 8 of the said regulations, the following regulation 8 shall be substituted, namely:—

“8. Preparation of Accounting Manual and Regulatory Accounts.—(1) The Power System Operation Company/State Load Despatch Centre shall prepare Accounting Manual and Regulatory Accounts as per the Himachal Pradesh

Electricity Regulatory Commission (Reporting System on Power Regulatory Accounting) Regulations, 2014.

The State Load Despatch Centre shall submit the Regulatory Audited Accounts every year within seven months of the end of the Financial Accounting Year to the Commission.

- (2) The Power System Operation Company shall maintain separate accounts and sub balance sheets for each of the businesses:

Provided that the Power System Operation Company shall follow a reasonable basis for allocation of all joint and common costs between the SLDC business and the other business and shall submit the Accounting Statements, as approved by its board of directors, to the Commission alongwith his application for determination of tariff:

Provided further that where the sum total of the direct and indirect costs of such other business exceeds the revenues from such other business or for any other reason, no amount shall be allowed to be added to the aggregate revenue requirement on account of such other business.”

4. Insertion of Regulation 13-A.—after regulation 13 of the said regulations, the following regulation 13-A shall be inserted, namely:—

“13-A. Consumer Contribution, Deposit Work, Grant and Capital Subsidy.—

- (1) The works carried out by the Power System Operation Company/State Load Despatch Centre after obtaining the estimated cost from the users shall be classified as Deposit Works.
- (2) Capital works undertaken by the Power System Operation Company/State Load Despatch Centre utilising grants received from the State and Central Governments, including funds under various schemes shall be classified under the category of Grants.
- (3) The works carried out with any other grant of similar nature or such amount received without any obligation to return the same and with no interest costs attached to such subvention shall also be classified as works performed through consumer contribution, deposit work, capital subsidy or grant.
- (4) The expenses on such capital expenditure shall be treated as follows:—
 - (a) normative O&M expenses as specified in these regulations shall be allowed. However, any departmental charges taken by the Power System Operation Company/State Load Despatch Centre against deposit works and which are executed departmentally shall be adjusted in the employee cost;
 - (b) the debt to equity ratio shall be considered in accordance with Regulation 17, after deducting the amount of financial support provided through consumer contribution, deposit work, capital subsidy or grant;
 - (c) depreciation to the extent of works performed through consumer contribution, deposit work, capital subsidy or grant shall not be allowed as specified in Regulation 22;

- (d) provisions related to return on equity, as specified in Regulation 20, shall not be applicable to the extent of financial support provided through consumer contribution, deposit work, capital subsidy or grant;
- (e) provisions related to interest and finance charges, as specified in Regulation 21, shall not be applicable to the extent of financial support provided through consumer contribution, deposit work, capital subsidy or grant.”

5. Amendment of regulation 14.—In regulation 14 of the said regulations—

- (a) for existing clause (b) of the sub- regulation (1), the following clause (b) shall be substituted, namely:—
- “(b) the Commission shall review actual capital investment *vis-a-vis* approved capital investment. Variations in Capitalisation on account of time and/or cost overruns/ efficiencies in the implementation of a capital expenditure project not attributable to an approved change in scope of such project, change in statutory levies or force majeure events;” and
- (ii) at the end, the following sub- regulation (5) shall be added, namely:—

“(5) The Power System Operation company/State Load Despatch Centre, for the approved true-up of any year over and above that approved in the Tariff Order for that year, shall be entitled to a carrying cost at one (1) Year weighted average State Bank of India (SBI) MCLR / any replacement thereof as notified by RBI for the time being in effect applicable for one (1) Year period of the relevant Year plus 300 basis points and for any true-up resulting in less than that approved in the Tariff Order for that year, the carrying cost shall be recovered at the same rate.”

6. Substitution of regulation 16.— For existing regulations 16 of the said regulations, the following regulation 16 shall be substituted, namely:—

- “16. Additional Capitalisation.**—(1) The capital expenditure incurred or projected to be incurred after the date of commercial operation may, in its discretion, be admitted by the Commission, subject to prudence check:
- (2) The capital expenditure incurred on the following counts after the cut off date may, in its discretion, be admitted by the Commission, subject to prudence check:—
 - (a) liabilities to meet award of arbitration or for compliance of the order or decree of a court;
 - (b) change in law or compliance of any existing law;
 - (c) any expenses to be incurred on account of need for higher security and safety of the capital asset as advised or directed by appropriate Government agencies or statutory authorities responsible for national security/internal security;
 - (d) any liability for works executed prior to the Cut-off Date, after prudence check of the details of such undischarged liability, total estimated cost of

package, reasons for such withholding of payment and release of such payments etc.;

- (e) any liability for works admitted by the Commission after the Cut-off Date to the extent of discharge of such liabilities by actual payments;
- (f) any additional capital expenditure, which has become necessary for efficient operation of the SLDC. The claim shall be substantiated with the technical justification duly supported by the documentary evidence like test results carried out by an independent agency in case of deterioration of assets, report of an independent agency in case of damage caused by natural calamities, obsolescence of technology, up-gradation of capacity for the technical reasons:

Provided that any expenditure on acquiring the minor items or the assets like tools and tackles, furniture, air-conditioners, voltage stabilizers, refrigerators, coolers, fans, washing machines, heat convectors, mattresses, carpets etc. bought after the date of commercial operation shall not be considered for additional capitalization for determination of fees and charges:

Provided further that if any expenditure has been claimed under Renovation and Modernisation (R&M) or repairs and maintenance under O&M Expenses, the same expenditure cannot be claimed under this regulation. ”

7. Amendment of regulation 21.—For existing sub- regulation (2) of regulation 21 of the said regulations, the following sub- regulation (2) shall be substituted, namely:—

“(2) The rate of interest shall be the weighted average rate of interest calculated on the basis of the actual loan portfolio at the beginning of each year applicable to the project for State Load Despatch Centre:

Provided that if there is no actual loan for a particular Year but normative loan is still outstanding, the last available weighted average rate of interest for the actual loan shall be considered:

Provided further that if the Power System Operation Company/State Load Despatch Centre does not have actual loan, then one (1) Year State Bank of India (SBI) MCLR / any replacement thereof as notified by RBI for the time being in effect applicable for one (1) Year period, as may be applicable as on 1st April of the relevant Year plus 200 basis points shall be considered as the rate of interest for the purpose of allowing the interest on the normative loan.”

8. Substitution of regulation 23.—For existing regulation 23 of the said regulations, the following regulation 23 shall be substituted, namely:—

“23. Interest on Working Capital.—(1) The working Capital shall cover:—

- (a) O&M expenses for one month;
- (b) receivables for two months State Load Despatch Centre charges as approved by the Commission;
- (c) maintenance spares @ 15% of O&M Expenses for one month.

- (2) Rate of interest on working capital to be computed as provided hereinafter in these regulations shall be on normative basis and shall be equal one (1) Year State Bank of India (SBI) MCLR / any replacement thereof as notified by RBI for the time being in effect applicable for one (1) Year period, as may be applicable as on 1st April of the Financial Year in which the Petition is filed plus 300 basis points.
- (3) The interest on working capital shall be payable on normative basis notwithstanding that the Power system Operation Company/ State Load Despatch Centre has not taken working capital loan from any outside agency or has exceeded the working capital loan based on the normative figures.”

By order of the Commission,
Sd/-
Secretary.

ब अदालत सहायक समाहर्ता द्वितीय श्रेणी, उप-तहसील धामी, जिला शिमला, हि0 प्र0

मुकद्दमा संख्या : 11/2018

तारीख मरजुआ : 12-11-2018

तारीख पेशी : 24-11-2018

श्रीमती कमला पुत्री श्री कुन्दन लाल, निवासी महाल नगर, डाकघर सैन्ज, उप-तहसील धामी, जिला शिमला, हि0 प्र0।

राजस्व अभिलेख में नाम दुरुस्ती बारे प्रार्थना-पत्र।

इस मुकद्दमे का संक्षिप्त सार यह है कि उपरोक्त प्रार्थी श्रीमती कमला पुत्री श्री कुन्दन लाल, निवासी महाल नगर, डाकघर सैन्ज, उप-तहसील धामी, जिला शिमला, हि0 प्र0 ने प्रार्थना-पत्र इस आशय के साथ इस अदालत में प्रस्तुत किया है कि भू-राजस्व अभिलेख मौजा शावली में मेरा नाम जफी पुत्री श्री कुन्दन लाल दर्ज कागजात है जो कि गलत है व महाल नगर में मेरा नाम कमला पुत्री कुन्दन लाल है जोकि सही है। जबकि आधार कार्ड, परिवार रजिस्टर नकल, शपथ-पत्र, ब्यानात वाशिंदगान देह महाल निवासी मौजा शावली कलोह की रिपोर्ट हल्का पटवारी मांदरी के अनुसार प्रार्थी का नाम कमला पुत्री कुन्दन लाल है जोकि सही है।

अतः इस इशतहार द्वारा सूचित किया जाता है कि यदि किसी को भी उपरोक्त मुकद्दमा नाम दुरुस्ती बारे कोई भी उजर व एतराज हो तो स्वयं या लिखित तौर पर दिनांक 24-12-2018 को अपराह्न 2.00 बजे हाजिर अदालत आकर अपना एतराज पेश करें, अन्यथा यह समझा जायेगा कि किसी भी सम्बन्धित व्यक्ति को इस मुकद्दमा नाम दुरुस्ती बारे कोई उजर व एतराज न है तथा आवेदन-पत्र को अन्तिम रूप दिया जायेगा व एकतरफा कार्यवाही अमल में लाई जाएगी।

आज तारीख 24-11-2018 को मेरे हस्ताक्षर व मोहर सहित अदालत से जारी किया गया।

मोहर।

हस्ताक्षरित /—
सहायक समाहर्ता द्वितीय श्रेणी,
उप-तहसील धामी, जिला शिमला, हि0 प्र0।

ब अदालत सहायक समाहर्ता द्वितीय श्रेणी, उप-तहसील धामी, जिला शिमला, हि0 प्र0

मुकद्दमा संख्या : 11/2018

तारीख मरजुआ : 12-11-2018

तारीख पेशी : 24-11-2018

श्रीमती गणपतू पुत्री स्व0 श्री कुन्दन लाल, निवासी महाल नगर, डाकघर सैन्ज, उप-तहसील धामी, जिला शिमला, हि0 प्र0।

राजस्व अभिलेख में नाम दुरुस्ती बारे प्रार्थना-पत्र।

इस मुकद्दमे का संक्षिप्त सार यह है कि उपरोक्त प्रार्थी श्रीमती गणपतू पुत्री स्व0 श्री कुन्दन लाल, निवासी महाल नगर, डाकघर सैन्ज, उप-तहसील धामी, जिला शिमला, हि0 प्र0 ने प्रार्थना-पत्र इस आशय के साथ इस अदालत में प्रस्तुत किया है कि भू-राजस्व अभिलेख मौजा शावली व मौजा नगर में मेरा नाम गणू पुत्री श्री कुन्दन लाल दर्ज कागजात है जो कि गलत है जबकि आधार कार्ड, परिवार रजिस्टर नकल जो हाल पत्नी अनन्तराम व शपथ-पत्र, ब्यानात वाशिंदगान देह महाल निवासी कलोह व नगर रिपोर्ट हल्का पटवारी मांदरी के अनुसार प्रार्थी का नाम गणपतू पुत्री कुन्दन लाल है जोकि सही है।

अतः इस इशतहार द्वारा सूचित किया जाता है कि यदि किसी को भी उपरोक्त मुकद्दमा नाम दुरुस्ती बारे कोई भी उजर व एतराज हो तो स्वयं या लिखित तौर पर दिनांक 24-12-2018 को अपराह्न 2.00 बजे हाजिर अदालत आकर अपना एतराज पेश करें, अन्यथा यह समझा जायेगा कि किसी भी सम्बन्धित व्यक्ति को इस मुकद्दमा नाम दुरुस्ती बारे कोई उजर व एतराज न है तथा आवेदन-पत्र को अन्तिम रूप दिया जायेगा व एकतरफा कार्यवाही अमल में लाई जाएगी।

आज तारीख 24-11-2018 को मेरे हस्ताक्षर व मोहर सहित अदालत से जारी किया गया।

मोहर।

हस्ताक्षरित/—
सहायक समाहर्ता द्वितीय श्रेणी,
उप-तहसील धामी, जिला शिमला, हि0 प्र0।